

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DWAYNE KEITH CRAWFORD,

Petitioner,

V.

KING COUNTY SUPERIOR COURT,

Respondent.

Case No. C15-981 JCC-BAT

REPORT AND RECOMMENDATION

On June 15, 2015, Petitioner Dwayne Keith Crawford filed a proposed 2241 Petition for Writ of Habeas Corpus. Dkt. 1. Mr. Crawford submitted no filing fee or application to proceed *informa pauperis* (IFP). Mr. Crawford was advised that he must either pay the filing fee or submit a completed IFP application. Dkt. 2. In response, Mr. Crawford states that he is exempt from these requirements because he is a legal entity “d/b/a Dwayne Keith Crawford ... Majuscule, Commercial Title & Capitis Diminutio Maxima.” Dkt. 3. Mr. Crawford is not incarcerated nor has he filed a viable 2241 petition. His proposed “petition” which is largely illegible appears to be a complaint about a civil ex parte action taken by a state court commissioner on a monetary claim.

DISCUSSION

A district court may permit indigent litigants to proceed IFP upon completion of a proper affidavit of indigency. See 28 U.S.C. §1915(a). However, the court has broad discretion in

1 denying an IFP application. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied*, 375
2 U.S. 845 (1963). Mr. Crawford was given an opportunity to either pay the Court's filing fee or
3 to submit a completed IFP application. Instead, he claims that he is exempt from these
4 requirements because he is an artificial entity. Assuming that Mr. Crawford is in fact not a
5 natural person, then he is ineligible for IFP status and his only avenue to proceed in this Court is
6 to pay the filing fee. *See, Rowland v. California Men's Colony*, 506 U.S. 194, 201-11 (1993) (28
7 U.S.C. § 1915 is applicable only to natural persons, not to artificial entities. *Rowland*, 506 U.S.
8 at 201-11.

9 **CONCLUSION**

10 The Court recommends that this matter be **Dismissed without Prejudice**. Mr. Crawford
11 was given an opportunity to pay the Court's filing fee or apply for IFP status. He failed to do so.

12 Any objections to this Recommendation must be filed no later than **July 27, 2015**. The
13 matter will be ready for the Court's consideration on **July 28, 2015** and the Clerk should so note
14 the matter. Objections shall not exceed five pages. The failure to timely object may affect the
15 right to appeal.

16 DATED this 6th day of July, 2015.

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18 BRIAN A. TSUCHIDA
19 United States Magistrate Judge
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